

D.A.C. / 40

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Jong-Kwon Kim et al.

SERIAL NO.: 10/781,037

EXAMINER: Leslie C. Pascal

FILED: February 18, 2004

ART UNIT: 2613

**FOR: BIDIRECTIONAL WAVELENGTH DIVISION MULTIPLEXING
SELF-HEALING OPTICAL RING NETWORK**

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO WITHDRAW ERRONEOUS TERMINAL DISCLAIMER

Dear Sir:

On February 26, 2007, Applicant filed a Terminal Disclaimer under 37 C.F.R.1.321 to overcome an obviousness-type double patenting rejection in view of U.S. Patent 7,133,609 to Kim, which is commonly owned and assigned to the assignee of the present application.

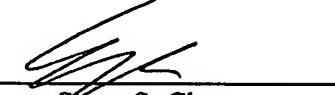
However, Applicant, inadvertently and through no deceptive intent, filed the Terminal disclaimer on February 26, 2007 listing U.S. Patent 6,519,060 to Liu as the patent to which the present application is tied to via Terminal Disclaimer.

Accordingly, Applicant respectfully requests withdrawal of the previously-filed Terminal Disclaimer and has attached a new Terminal Disclaimer for entry into the record.

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Applicant respectfully requests that with regard to any fees due and owed regarding this petition and the accompanying Terminal Disclaimer, please charge deposit account number 502-470.

Respectfully submitted,

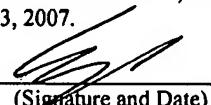

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Certificate of Mailing Under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to COMMISSIONER FOR PATENTS, Mail Stop Petitions, P.O. Box 1450, ALEXANDRIA, VA. 20231-1450 on July 23, 2007.

Steve Cha, Reg. No. 44,069
(Name of Registered Rep.)


(Signature and Date)